

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA (Western
Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:11-cv-03623-CBM-CW**

Eliot Cohen v. UBS Financial Services, Inc. et al
Assigned to: Judge Consuelo B. Marshall
Referred to: Magistrate Judge Carla Woehrle
Cause: 29:201 Fair Labor Standards Act

Date Filed: 04/27/2011
Date Terminated: 03/21/2012
Jury Demand: Plaintiff
Nature of Suit: 710 Labor: Fair Standards
Jurisdiction: Federal Question

Plaintiff

Eliot Cohen
*on behalf of himself and all others similarly
situated*

represented by **Betsy C Manifold**
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Plaintiff

Charles Shoemaker

*on behalf of themselves and all others similarly
situated*

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Plaintiff

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Defendant

UBS AG

represented by **John S Battenfeld**

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Kathy H Gao

(See above for address)

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Defendant****John Does***1-50**TERMINATED: 04/28/2011*

Date Filed	#	Docket Text
04/27/2011	<u>1</u>	CLASS ACTION COMPLAINT against Defendants John Does, 1-50, UBS AG, UBS Financial Services, Inc. Case assigned to Judge Consuelo B. Marshall for all further proceedings. Discovery referred to Magistrate Judge Carla Woehrle.(Filing fee \$ 350:PAID) Jury Demanded., filed by plaintiff Eliot Cohen.(ghap) (mg). (Entered: 04/28/2011)
04/27/2011	<u>1</u>	21 DAY Summons Issued re Complaint – (Discovery) <u>1</u> as to Defendants John Does, 1-50, UBS AG, UBS Financial Services, Inc. (ghap) (Entered: 04/28/2011)
04/27/2011	<u>2</u>	CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiff Eliot Cohen. (ghap) (mg). (Entered: 04/28/2011)
04/28/2011	<u>3</u>	Dismissal of Parties Designated by a Fictitious Name filed by Plaintiff Eliot Cohen (Manifold, Betsy) (Entered: 04/28/2011)
05/04/2011	<u>4</u>	STANDING ORDER by Judge Consuelo B. Marshall. This action has been assigned to the calendar of the Honorable Consuelo B. Marshall. Both the Court and the attorneys bear responsibility for the progress of litigation in the Federal Courts. To secure the just, speedy, and inexpensive determination of every action, Fed. R. Civ. P. 1, all counsel are ordered to familiarize themselves with the Federal Rules of Civil Procedure and the Local Rules of the Central District of California and comply with these rules. This Order controls the procedures used in this case. See Item 7, regarding Motions: Motions shall be filed in accordance with Local Rules 6 and 7. Local Rule 6-1 provides: "The notice of motion shall be filed with the Clerk not later than twenty-eight (28) days before the date set for hearing, and shall be served on each of the parties electronically or, if excepted from electronic filing, either by deposit in the mail or by personal service." This Court typically hears motions on Mondays, beginning at 10:00 a.m. The briefing schedule for the motion shall be governed by Local Rules 6 and 7. (Refer attached Order for other requirements.) (lom) (Entered: 05/04/2011)
06/13/2011	<u>5</u>	NOTICE Consent to Become a Party Plaintiff filed by Plaintiff Eliot Cohen. (Manifold, Betsy) (Entered: 06/13/2011)
06/13/2011	<u>6</u>	NOTICE Consent to Become a Party Plaintiff filed by Plaintiff Eliot Cohen. (Manifold, Betsy) (Entered: 06/13/2011)
07/12/2011	<u>7</u>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Eliot Cohen. upon UBS Financial Services, Inc. waiver sent by Plaintiff on 6/30/2011, answer due 8/29/2011. Waiver of Service signed by John S. Battenfeld, Attorney. (Manifold, Betsy) (Entered: 07/12/2011)
07/12/2011	<u>8</u>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Eliot Cohen. upon UBS AG waiver sent by Plaintiff on 6/30/2011, answer due 8/29/2011. Waiver of Service signed by John S. Battenfeld, Attorney. (Manifold, Betsy) (Entered: 07/12/2011)

08/10/2011	<u>9</u>	STIPULATION to Stay Case pending transfer to the Southern District of New York by the MDL panel filed by DEFENDANTS UBS AG, UBS Financial Services, Inc.. (Attachments: # <u>1</u> Proposed Order To Stay Action For Ninety (90) Days)(Battenfeld, John) (Entered: 08/10/2011)
08/10/2011	<u>10</u>	ORDER by Judge Marshall STAYING CASE for ninety (90) days, if this case is not transferred to the Southern District of New York within ninety (90) days, the parties shall submit a status report to this Court. The time within which Plaintiff Eliot Cohen and any proponent of class must file a motion for certification in this Court is extended by sixty (60) days from the date set by Local Rule 23-3 of tge United States District Court (Central District of California. (MD JS-6. Case Terminated), (Made JS-6. Case Terminated.) (jl) (Entered: 08/10/2011)
10/12/2011	<u>12</u>	ORDER DENYING TRANSFER by Panel on Multidistrict Litigation. Plaintiffs in the above-captioned actions move for centralization of these two actions in the Southern District of New York. Common defendants UBS AG and UBS Financial Services, Inc. (collectively UBS) support the motion. Although all parties agree that centralization is appropriate, the Panel has an institutional responsibility that goes beyond accommodating the particular wishes of the parties. IT IS THEREFORE ORDERED that the motion, pursuant to 28 U.S.C. § 1407, for centralization of these actions is denied. (lom) (Entered: 10/18/2011)
10/13/2011	<u>11</u>	MINUTE ORDER IN CHAMBERS by Judge Consuelo B. Marshall: On the Court's own motion, this case is set for a Status Conference on Nov. 22, 2011 at 10:00 A.M. Status Reports shall be filed on or before Nov. 8, 2011 (Case reopened. MD JS-5.) (jl) (Entered: 10/13/2011)
11/03/2011	<u>13</u>	Joint STIPULATION for Extension of Time to File Motion For Class Certification To February 27, 2012 filed by Plaintiff Eliot Cohen. (Attachments: # <u>1</u> Proposed Order [Proposed] Order to Extend Deadline For Motion For Class Certification to February 27, 2012)(Manifold, Betsy) (Entered: 11/03/2011)
11/03/2011	<u>14</u>	ORDER by Judge Consuelo B. Marshall GRANTING Stipulation for Extension of Time to <u>13</u> February 27, 2012 within which Plaintiff Eliot Cohen and any proponent of the class must file a motion for certification. (jl) (Entered: 11/03/2011)
11/08/2011	<u>15</u>	STATUS REPORT <i>Plaintiff's Status Report</i> filed by Plaintiff Eliot Cohen. (Manifold, Betsy) (Entered: 11/08/2011)
11/08/2011	<u>16</u>	STATUS REPORT <i>Of Defendants UBS Financial Services Inc. And UBS AG</i> filed by Defendants UBS AG, UBS Financial Services, Inc.. (Battenfeld, John) (Entered: 11/08/2011)
11/22/2011	<u>18</u>	MINUTES OF STATUS CONFERENCE held before Judge Consuelo B. Marshall. Leave is granted to Plaintiff's counsel to file a First Amended Complaint. Court Reporter: Cindy Nirenberg. (lom) (Entered: 12/05/2011)
12/01/2011	<u>17</u>	AMENDED CLASS AND COLLECTIVE ACTION COMPLAINT <u>1</u> ; Demand for Jury Trial against Defendants UBS AG, UBS Financial Services, Inc. filed by Plaintiffs Eliot Cohen, Charles Shoemaker. (lom) (lom). (Entered: 12/02/2011)
12/19/2011	<u>19</u>	NOTICE of Change of Attorney Information for attorney Kathy H Gao counsel for Defendants UBS AG, UBS Financial Services, Inc.. Adding Kathy H. Gao as attorney as counsel of record for UBS Financial Services Inc. and USB AG for the reason indicated in the G-06 Notice. Filed by Defendants UBS Financial Services Inc. and USB AG (Gao, Kathy) (Entered: 12/19/2011)
12/27/2011	<u>20</u>	Joint STIPULATION for Leave to File [Corrected] And Second Amended Complaint And Filing A Response Thereto filed by Plaintiffs Eliot Cohen, Charles Shoemaker. (Attachments: # <u>1</u> Proposed Order)(Manifold, Betsy) (Entered: 12/27/2011)
12/27/2011	<u>21</u>	CERTIFICATE OF SERVICE filed by Plaintiffs Eliot Cohen, Charles Shoemaker, re Stipulation for Leave <u>20</u> served on 12/27/2011. (Manifold, Betsy) (Entered: 12/27/2011)

12/27/2011	<u>22</u>	ORDER by Judge Consuelo B. Marshall GRANTING Stipulation for Leave <u>20</u> : Plaintiffs' [Corrected] Amended Complaint shall be filed on or before Dec. 29, 2011; Plaintiffs are granted leave to file a Second Amended Complaint on or before December 31, 2011; Defendants shall file their Motion to Dismiss, Stay, or Transfer on or before January 9, 2012; Plaintiffs shall file any Opposition to Defendants' Motion to Dismiss, Stay, or Transfer on or before January 30, 2012; Defendants shall file any Reply in further support of their Motion to Dismiss, Stay, or Transfer on or before February 13, 2012; and Defendants' Motion to Dismiss, Stay, or Transfer shall be set for February 27, 2012 at 11:00 A.M. (jl) (Entered: 12/27/2011)
12/28/2011	<u>23</u>	CORRECTED AMENDED CLASS AND COLLECTIVE ACTION COMPLAINT <u>17</u> against Defendants UBS Financial Services, Inc., UBS AG filed by Plaintiffs Eliot Cohen, Charles Shoemaker. (lom) (lom). (Entered: 12/29/2011)
12/30/2011	<u>24</u>	SECOND AMENDED COMPLAINT <u>17</u> , <u>23</u> ; Demand for Jury Trial against Defendants UBS AG, UBS Financial Services, Inc. filed by Plaintiffs Charles Shoemaker, Eliot Cohen. (lom) (lom). Modified on 1/25/2012 (lom). (Entered: 01/03/2012)
01/09/2012	<u>25</u>	NOTICE OF MOTION AND MOTION to Dismiss Case filed by DEFENDANTS UBS AG, UBS Financial Services, Inc.. Motion set for hearing on 2/27/2012 at 11:00 AM before Judge Consuelo B. Marshall. (Attachments: # <u>1</u> Memorandum Of Points And Authorities In Support Of Their Motion to Dismiss, Stay, Or Transfer Action Pursuant To The First-To-File Rule Or, Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(a), # <u>2</u> Declaration of John S. Battenfeld In Support Defendants UBS Financial Services Inc.'s And UBS AG's Motion to Dismiss, Stay, Or Transfer Action Pursuant To The First-To-File Rule Or, Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(a), # <u>3</u> Exhibit A-C of John S. Battenfeld, # <u>4</u> Exhibit D-H of John S. Battenfeld, # <u>5</u> Declaration Of Matthew Levitan In Support Of Defendants UBS Financial Services Inc.'s And UBS AG's Motion to Dismiss, Stay, Or Transfer Action Pursuant To The First-To-File Rule Or, Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(a), # <u>6</u> Proposed Order Granting Defendants UBS Financial Services Inc.'s And UBS AG's Motion to Dismiss, Stay, Or Transfer Action Pursuant To The First-To-File Rule Or, Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(a))(Battenfeld, John) (Entered: 01/09/2012)
01/30/2012	<u>26</u>	MEMORANDUM in Opposition to MOTION to Dismiss Case <u>25</u> <i>Plaintiffs' Opposition To Defendants' Memorandum Of Points And Authorities In Support Of Their Motion To Dismiss, Stay Or Transfer Their Action Pursuant To The First Filed Rule Or, Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(a)</i> filed by Plaintiffs Eliot Cohen, David Hale, Charles Shoemaker. (Manifold, Betsy) (Entered: 01/30/2012)
01/30/2012	<u>27</u>	DECLARATION of Betsy C. Manifold In Opposition To MOTION to Dismiss Case <u>25</u> <i>Declaration of Betsy C. Manifold In Support Of Plaintiffs' Opposition To Defendants' Memorandum Of Points And Authorities In Support Of Their Motion To Dismiss, Stay Or Transfer Their Action Pursuant To The First Filed Rule Or, Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(a)</i> filed by Plaintiffs Eliot Cohen, David Hale, Charles Shoemaker. (Manifold, Betsy) (Entered: 01/30/2012)
01/30/2012	<u>28</u>	OF SERVICE filed by Plaintiffs Eliot Cohen, David Hale, Charles Shoemaker, re Declaration (Motion related), Declaration (Motion related) <u>27</u> , MEMORANDUM in Opposition to Motion, <u>26</u> <i>Declaration of Service</i> served on January 30, 2012. (Manifold, Betsy) (Entered: 01/30/2012)
02/09/2012	<u>29</u>	STIPULATION to Continue Hearing On Motion to Dismiss and Plaintiffs' Deadline To File Motion for Class Certification from Feb. 27, 2012 and Feb. 27, 2012 to March 19, 2012 and May 28, 2012 filed by DEFENDANTS UBS AG, UBS Financial Services, Inc.. (Attachments: # <u>1</u> Proposed Order Granting Joint Stipulation to Continue: 1) The Hearing On Defendants' Motion To Dismiss, Stay, Or Transfer Action Pursuant To The First-To-File Rule, Or Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(A); And 2) Plaintiffs' Deadline to File Motion For

Class Certification)(Battenfeld, John) (Entered: 02/09/2012)

02/10/2012	<u>30</u>	ORDER by Judge Consuelo B. Marshall: Defendants' Motion to Dismiss, Stay or Transfer [29] is continued to March 19, 2012 at 11:00 A.M. The deadline for Defendants to file their Reply in support of their Motion to Dismiss, Stay, or Transfer is continued to February 27, 2012. The deadline for Plaintiffs to file their motion for class certification shall be continued to May 28, 2012. (jl) (Entered: 02/10/2012)
02/13/2012	<u>31</u>	NOTICE filed by Plaintiffs Eliot Cohen, Charles Shoemaker. <i>Consent To Become A Party Plaintiff</i> (Manifold, Betsy) (Entered: 02/13/2012)
02/15/2012	<u>32</u>	NOTICE filed by Plaintiffs Eliot Cohen, Charles Shoemaker. <i>Consent To Become A Party Plaintiff</i> (Manifold, Betsy) (Entered: 02/15/2012)
02/22/2012	<u>33</u>	Joint STIPULATION for Order Granting Joint Scheduling And Tolling Stipulation filed by DEFENDANTS UBS AG, UBS Financial Services, Inc.. (Attachments: # <u>1</u> Proposed Order Granting Joint Scheduling And Tolling Stipulation)(Battenfeld, John) (Entered: 02/22/2012)
02/23/2012	<u>34</u>	Joint STIPULATION to Continue Deadline for Defendants to file their Reply in support of their Motion to Dismiss, Stay, or Transfer Action Pursuant to the First-to-File Rule or, Alternatively, Transfer Venue Pursuant to 28 U.S.C. § 1404(a) from February 27, 2012 to February 29, 2012 filed by DEFENDANTS UBS AG, UBS Financial Services, Inc.. (Attachments: # <u>1</u> Proposed Order Granting Joint Stipulation To Continue Defendants' Deadline To File Their Reply In Support Of Their Motion To Dismiss, Stay, Or Transfer Action Pursuant To The First-To-File Rule Or, Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(a))(Battenfeld, John) (Entered: 02/23/2012)
02/24/2012	<u>35</u>	ORDER Granting Stipulation to Dismiss case <u>34</u> by Judge Consuelo B. Marshall. IT IS HEREBY ORDERED that: 1. The deadline for Defendants to file their Reply in support of their Motion to Dismiss, Stay, or Transfer Action Pursuant to the First-to-File Rule or, Alternatively, Transfer Venue Pursuant to 28 U.S. C. § 1404(a) <u>25</u> ("Motion to Dismiss, Stay, or Transfer") shall be continued to February 29, 2012; and 2. The hearing on Defendants' Motion to Dismiss, Stay, or Transfer shall remain on March 19, 2012. (lom) (Entered: 02/27/2012)
02/29/2012	<u>36</u>	REPLY IN SUPPORT OF MOTION to Dismiss Case <u>25</u> <i>Defendants UBS Financial Services Inc.'s And UBS AG's Reply Memorandum Of Points And Authorities In Support Of Their Motion to Dismiss, Stay, Or Transfer Action Pursuant To The First-To-File Rule Or, Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(a)</i> filed by Defendants UBS AG, UBS Financial Services, Inc.. (Attachments: # <u>1</u> Declaration Supplemental Declaration of John S. Battenfeld In Support Of Defendants UBS Financial Services Inc.'s Reply In Support Of Their Motion to Dismiss, Stay, Or Transfer Action Pursuant To The First-To-File Rule Or, Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(a), # <u>2</u> Declaration Supplemental Declaration of Matthew Levitan In Support Of Defendants UBS Financial Services Inc.'s Reply In Support Of Their Motion to Dismiss, Stay, Or Transfer Action Pursuant To The First-To-File Rule Or, Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(a))(Battenfeld, John) (Entered: 02/29/2012)
03/09/2012	<u>37</u>	NOTICE of Supplemental Authority Supporting Further Opposition to Defendants' Motion to Dismiss, Stay or Transfer Their Action Pursuant to the First Filed Rule or, Alternatively, Transfer Venue Pursuant to 28 U.S.C. § 1404(a) filed by Plaintiffs Eliot Cohen, Charles Shoemaker. (Manifold, Betsy) (Entered: 03/09/2012)
03/14/2012	<u>38</u>	MINUTE ORDER IN CHAMBERS by Judge Consuelo B. Marshall: MOTION OF UBS AG and UBS Financial Services to Dismiss Case <u>25</u> , Stay, Transfer Action or to Transfer Venue continued to March 21, 2012 at 9:00 a.m. (jl) (Entered: 03/14/2012)
03/16/2012	<u>39</u>	

ORDER by Judge Consuelo B. Marshall, re Tolling Stipulation 33 (see Stipulation for details) (jl) (Entered: 03/16/2012)

03/16/2012	<u>40</u>	DEFENDANTS' RESPONSE TO PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY SUPPORTING FURTHER OPPOSITION TO DEFENDANTS' MOTION TO DISMISS, STAY, OR TRANSFER THEIR ACTION PURSUANT TO THE FIRST-TO-FILE RULE OR, ALTERNATIVELY, TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(a) re MOTION to Dismiss Case <u>25</u> filed by Defendants UBS AG, UBS Financial Services, Inc.. (Attachments: # <u>1</u> Declaration Of John S. Battenfeld In Support Of Defendants' Response To Plaintiffs' Notice Of Supplemental Authority Supporting Further Opposition To Defendants' Motion To Dismiss, Stay Or Transfer Action Pursuant To The First-To-File Rule, Or Alternatively, Transfer Venue Pursuant To 28 U.S.C. § 1404(a))(Battenfeld, John) (Entered: 03/16/2012)
03/19/2012	<u>41</u>	NOTICE OF MOTION AND MOTION for Leave to file Third Amended Complaint filed by Plaintiffs Eliot Cohen, David Hale, Philip Ricasata, Charles Shoemaker. Motion set for hearing on 5/7/2012 at 11:00 AM before Judge Consuelo B. Marshall. (Manifold, Betsy) (Entered: 03/19/2012)
03/19/2012	<u>42</u>	MEMORANDUM in Support of MOTION for Leave to file Third Amended Complaint <u>41</u> filed by Plaintiffs Eliot Cohen, David Hale, Philip Ricasata, Charles Shoemaker. (Manifold, Betsy) (Entered: 03/19/2012)
03/19/2012	<u>43</u>	DECLARATION of Betsy C. Manifold In Support Of Plaintiffs' MOTION for Leave to file Third Amended Complaint <u>41</u> filed by Plaintiffs Eliot Cohen, David Hale, Philip Ricasata, Charles Shoemaker. (Manifold, Betsy) (Entered: 03/19/2012)
03/19/2012	<u>44</u>	OF SERVICE filed by Plaintiffs Eliot Cohen, David Hale, Philip Ricasata, Charles Shoemaker, re MOTION for Leave to file Third Amended Complaint <u>41</u> , Memorandum in Support of Motion <u>42</u> , Declaration (Motion related) <u>43</u> served on March 19, 2012. (Attachments: # <u>1</u> Proposed Order [Proposed] Order Granting Plaintiffs' Motion for Leave to File a Third Amended Complaint)(Manifold, Betsy) (Entered: 03/19/2012)
03/19/2012	<u>45</u>	NOTICE OF MOTION AND MOTION to Certify Class <i>Plaintiffs' Notice Of Motion And Motion For Certification Of A Collective Action</i> filed by Plaintiffs Eliot Cohen, David Hale, Philip Ricasata, Charles Shoemaker. Motion set for hearing on 7/23/2012 at 11:00 AM before Judge Consuelo B. Marshall. (Attachments: # <u>1</u> Proposed Order [Proposed] Order Granting Plaintiffs' Motion For Certification Of A Collective Action)(Manifold, Betsy) (Entered: 03/19/2012)
03/19/2012	<u>46</u>	MEMORANDUM in Support of MOTION to Certify Class <i>Plaintiffs' Notice Of Motion And Motion For Certification Of A Collective Action</i> <u>45</u> <i>Plaintiffs' Memorandum Of Points & Authorities In Support Of Their Motion For Certification Of a Collective Action</i> filed by Plaintiffs Eliot Cohen, David Hale, Philip Ricasata, Charles Shoemaker. (Manifold, Betsy) (Entered: 03/19/2012)
03/19/2012	<u>47</u>	DECLARATION of Betsy C. Manifold In Support Of Plaintiffs' MOTION to Certify Class <i>Plaintiffs' Notice Of Motion And Motion For Certification Of A Collective Action</i> <u>45</u> filed by Plaintiffs Eliot Cohen, David Hale, Philip Ricasata, Charles Shoemaker. (Manifold, Betsy) (Entered: 03/19/2012)
03/19/2012	<u>48</u>	DECLARATION of Jeffrey G. Smith In Support Of Plaintiffs' MOTION to Certify Class <i>Plaintiffs' Notice Of Motion And Motion For Certification Of A Collective Action</i> <u>45</u> filed by Plaintiffs Eliot Cohen, David Hale, Philip Ricasata, Charles Shoemaker. (Manifold, Betsy) (Entered: 03/19/2012)
03/19/2012	<u>49</u>	OF SERVICE filed by Plaintiffs Eliot Cohen, David Hale, Philip Ricasata, Charles Shoemaker, re Memorandum in Support of Motion, <u>46</u> , MOTION to Certify Class <i>Plaintiffs' Notice Of Motion And Motion For Certification Of A Collective Action</i> <u>45</u> , Declaration (Motion related),

Declaration (Motion related) 47 , Declaration (Motion related), Declaration (Motion related) 48 served on March 19, 2012. (Manifold, Betsy) (Entered: 03/19/2012)

03/19/2012

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Consent To Become A Party Plaintiff (Manifold, Betsy) (Entered: 03/19/2012)

03/21/2012

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MINUTES of Motion of Defendants UBS Financial Services, Inc. and UBS AG to Dismiss, Stay or Transfer Action held before Judge Consuelo B. Marshall. Motion to Transfer Action 25 is GRANTED pursuant to the First to File Rule and 28 U.S.C. 1404(a). Motions to Dismiss and to Stay are denied as moot. This Action is hereby transferred to the Southern District of New York. (Made JS-6. Case Terminated.) Court Recorder: Michelle Ortega. (Attachments: # 1 TRansmittal – CV 22) (lom) (Entered: 03/22/2012)